IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 18336 of 2004

Between:

Smt.S.Premjeet Kaur @ Y.Prameela, w/o Narender Singh,
r/o 7-1-191/2, Behind Gurudwara, Ameerpet, Hyderabad.

..... PETITIONER

AND

1 The Director, Institute of Preventive Medicine,
Behind Narayanaguda Police Station, Narayanaguda,

Hyderabad.
2 Sardar Gurumukh Singh, s/o Nahal Singh, Occ:

Retired Inspector of Police, r/o 8-3-225/A/54, Yousufguda

Check Post, Rahmatnagar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not paying the terminal benefits of late Y.Brahamaramba to this petitioner as illegal, arbitrary, un-constitutional and consequently direct the respondents to pay the terminal benefits of Late Y.Brahamaramba to this petitioner forthwith.

Counsel for the Petitioner: MR.S.SATYANARAYANA MOORTHY

Counsel for the Respondent No.1: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the stage of admission made the following :

ORDER:

The petitioner claims that she is the daughter of a retired employee, Y.Brahmaramba, who worked in the 1st respondent-institute. The said Brahmaramba died on 20th August 2003 while in service. The petitioner claims that she is the sole legal heir of her mother and she was already nominated for receiving the benefits in the service records of the deceased employee. The petitioner made several representations to the 1st respondent to release all the terminal benefits to her pursuant to the death of her mother while in service. The 2nd respondent who is their neighbour raised an objection for the release of those amounts in favour of the petitioner claiming that he is the husband of the deceased employee. Though the 1st respondent prepared all the papers for the release of the amounts, the same was stopped on account of the objection raised by the 2nd respondent. The petitioner sent a legal notice to the 1st respondent on 7-9-2004, but the 1st respondent did not choose to send any reply. The petitioner therefore approached this Court seeking a direction to the 1st respondent to release the terminal benefits of her mother in her favour.

Having regard to the facts and circumstances of the case, the 1st respondent is directed to examine the nomination made by the deceased employee by considering the objections filed by the 2nd respondent if not the objections already considered and rejected and pass appropriate orders for the release of the terminal benefits.

The writ petition is accordingly disposed of. No costs.

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8-10-2004

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To

1 The Director, Institute of Preventive Medicine,
Behind Narayanaguda Police Station, Narayanaguda,

Hyderabad.

2 Two CCS to GP for Medical Health and Family welfare, High

Court buildings, Hyderabad (OUT)

3 Two CD copies.